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# Report of the Secretary-General on children and armed conflict in the Sudan

*Summary*

The present report, which has been prepared pursuant to Security Council resolution 1612 (2005), covers the period from 1 August 2007 to 30 December 2008. It is the third report on children in the armed conflict in the Sudan to be presented to the Security Council and its Working Group on Children and Armed Conflict.

The report focuses on grave violations perpetrated against children in the Sudan and identifies State and non-State parties to the conflict responsible for such violations. In particular, the report highlights that children continue to be recruited and used by all parties to the conflict, that rape and sexual violence continue to be systematic and widespread and that children and women in an around refugee camps and internally displaced persons' settlements are especially vulnerable. The report also shows alarming levels of attacks against humanitarian personnel and assets, particularly in Darfur, and the denial of humanitarian access to affected populations mainly due to acute insecurity.

The report also notes some limited progress in establishing child protection dialogue with parties to the conflict and highlights important ongoing initiatives by the Government of National Unity and the Government of Southern Sudan in areas such as adoption of national legislation for the protection of children, establishment of child protection modalities in the national police force and focus on children in the national disarmament, demobilization and reintegration process.

The report outlines a series of recommendations to address grave child rights violations, facilitate the implantation of child protection commitments and foster more effective coordination among key stakeholders.

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# I. Introduction

1. The present report, prepared pursuant to Security Council resolution 1612 (2005), covers the period from 1 August 2007 to 30 December 2008. It is the third report on children and armed conflict in the Sudan to be presented to the Security Council and its Working Group on Children and Armed Conflict (see S/2007/520 and S/2006/662). The report identifies State and non-State parties to the conflict responsible for grave violations against children, including their recruitment and use as child soldiers, killing and maiming, abductions, rape and other grave sexual violence, attacks on schools and hospitals and denial of humanitarian access. The report also highlights the plans of action and programme responses that have been undertaken by both national and international actors to address these violations.

# II. Political, military and social development in the Sudan

2. The Sudan has signed three peace agreements within its own borders: the Comprehensive Peace Agreement of January 2005; the Darfur Peace Agreement of May 2006; and the Eastern Sudan Peace Agreement of October 2006. Child protection concerns have been addressed in all three agreements. By the end of the reporting period, there were at least two other peace initiatives under way: the Qatari initiative and the Sudan peoples' Darfur Peace Initiative, in addition to the joint overall mediation for the process under the auspices of the United Nations.

3. Since the signing of the Comprehensive Peace Agreement in 2005, Southern Sudan continues to face significant challenges such as putting in place new government structures, the continuing activities of militias and armed groups and persistent ethnic and resource-based localized conflicts. The Lord's Resistance Army (LRA), active in Southern Sudan since 1994, also continues to be a threat to peace and security in Southern Sudan. Acute security challenges which include inter-community clashes and the widespread proliferation of weapons have undermined the overall implementation of the agreement.

4. Looming tension in Abyei escalated into an armed clash on 13 May 2008 between the Sudanese Armed Forces (SAF) and the Sudan Peoples' Liberation Army (SPLA). Some 60,000 men, women and children were displaced as a result of the fighting. On 8 June 2008, an agreement was reached between the two parties on the Abyei road map, which set 30 June as the deadline for SPLA and SAF troops to leave Abyei and allow the deployment of new Joint Integrated Units. There have been delays in terms of the implementation of the stipulated time frame of the Abyei road map, but significant progress has nonetheless been made against key benchmarks. Still outstanding, however, are the final withdrawal of SAF forces from Diffra, the provision of a budget to the administration and the implementation of the wealth-sharing agreements.

5. Internally displaced persons and refugees continued to return to Southern Sudan. It is estimated that 153,638 returned in 2008, of which 60 per cent benefited from the support of the United Nations. Some 12.000 internally displaced persons also returned to Abyei town and its surrounding area by December 2008. But a security incident between members of the Joint Integrated Police Unit and the Joint Integrated Unit on 12 December in Abyei market prompted a majority of the civilians of Abyei to flee, mainly to the South, and some to the North.

6. During the reporting period, LRA also increased its activities in Western Equatoria State, and ongoing LRA activity has been noted in areas bordering western Uganda, in eastern Central African Republic and in north-eastern Democratic Republic of the Congo. Many children are still associated with LRA.

7. In January 2008, the African Union-United Nations Hybrid Operation in Darfur (UNAMID) replaced the African Union Mission in the Sudan (AMIS). Its mandate includes the implementation of the Darfur Peace Agreement and the protection of civilians. However, the security situation in Darfur deteriorated significantly during the reporting period. On 10 May 2008, the Justice and Equality Movement (JEM) launched an attack on the city of Omdurman in an effort to reach Khartoum. According to figures released by the Government, 79 members of the Government's security forces, 57 civilians and 329 JEM fighters were killed during the fighting. It is also understood that there were a number of child combatants among the JEM forces.

8. Reporting on violations continues to be significantly impeded by lack of access to affected populations. This is due primarily to acute insecurity, especially in Darfur, where the ability of the United Nations to carry out monitoring, reporting and response activities have been severely hampered. There have also been challenges related to the restriction of movement imposed by the Sudanese authorities in some parts of the territory. Although the overall scope of the violations against children remains unknown for these reasons, reported and verified incidents indicate that there has been no major improvement compared to the last reporting period, especially regarding the recruitment and use of children, rape and other sexual violence, killing and maiming and the denial of humanitarian access.

## A. Recruitment and use of children by armed forces or armed groups

### Southern Sudan

9. United Nations field monitors reported the recruitment and use of 101 children by SPLA, including 68 boys who were registered for demobilization by the end of the reporting period. Indicative examples of recruitment include:

(a) A boy recruited by SPLA in Basila in late 2007 was interviewed on 23 April 2008 by the United Nations. He claimed that he had run away from the barracks because of a lack of food. He is now back with his family;

(b) On 26 December 2007, 32 children were recruited by SPLA in Pochalla, Upper Nile.

10. Although the SPLA high command has committed to preventing recruitment and to releasing the remaining children from its ranks, reports suggest that some local commanders are still recruiting children. Child protection officers in the United Nations Mission in the Sudan (UNMIS) have been able to access barracks and identify children who were associated with the armed group, but there have been significant delays in securing their release. In certain states SPLA continues to use children in military activities even after these children have been formally identified for release and family reunification.

11. Another concern is that many children continue to return to the barracks after their release, primarily due to a lack of food and the shortage of livelihood

opportunities. Furthermore, authorities in Southern Sudan have reported the "spontaneous demobilization" of children associated with SPLA. As a result, these children are not formally registered and are not therefore included in reintegration programmes.

**Three Areas**

12. The recruitment and use of 67 children has been reported in six separate incidents in the Abyei area. On 18 to 19 June 2008, the United Nations reported the presence of 55 uniformed children aged 14 to 16 years among SAF soldiers who had presented themselves for registration in the Joint Inspection Unit. It should be noted that the children were turned away.

**Darfur**

13. During the reporting period, United Nations field monitors reported the recruitment and use of 487 children by various armed forces and groups operating in all three Darfur states, although it is known that many cases remain unreported. Over 14 Sudanese and foreign armed forces and groups are reportedly responsible for recruiting and using children in Darfur. This includes rebel groups such as JEM, JEM/Wings for Peace, the Janjaweed, the Movement of Popular Forces for Rights and Democracy (MPFRD), SLA Abu Gasim, SLA Peace Wing, SLA/Movement Abdul Wahid, SLA-Minawi and various tribal groups (see figure I).

14. For example, on 11 January 2008, 17 children recruited by SLA-Peace Wing were gathered near Nyala town in Southern Darfur in preparation for their transfer to Ed Daein with the armed group. In February 2008 alone, at least 89 children were recruited by various armed groups, including SLA/Abuel-Gasim, 10 in Southern Darfur, 30 in Northern Darfur and 49 in Western Darfur.

15. Some of the children recruited were as young as 12. Almost all the children recruited were boys. However, one girl was seen with JEM/Wings for Peace personnel in Northern Darfur, and another girl was recruited by SLA/Abu Gasim in Western Darfur. The majority of cases were reported from Western Darfur State. This includes many of the 99 children who have been confirmed as recruited and used by JEM during their attack on Omdurman in May 2008.

16. Most of the 487 recruited children have been used as combatants. Of those children, 170 were seen carrying weapons, and over 75 per cent were seen wearing some articles of military uniform. There were relatively few reports of children used for auxiliary tasks, but because of the lack of visibility of such children this may be significantly underreported.

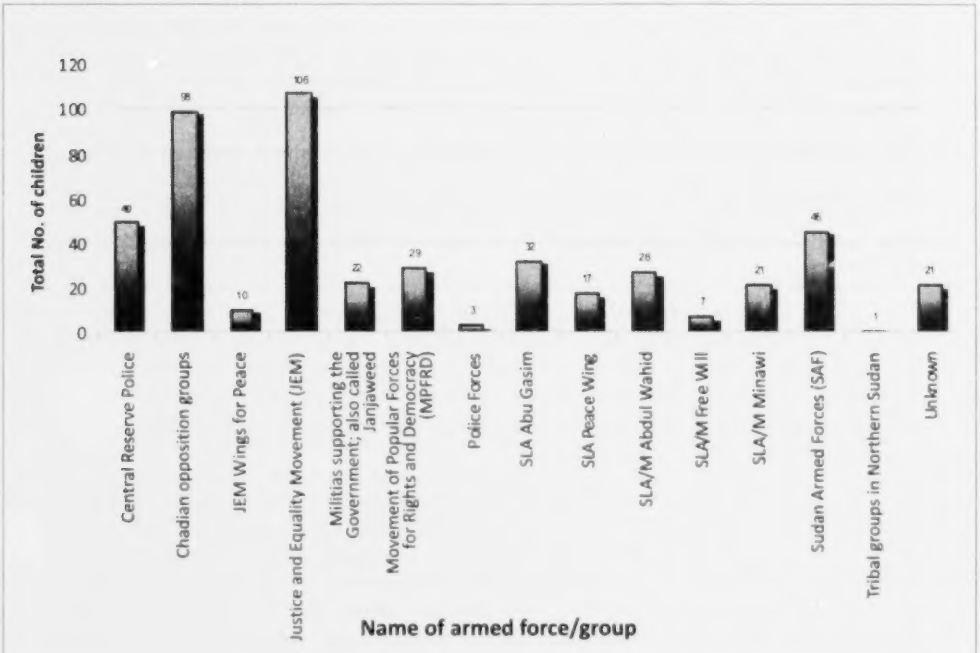
17. Government forces are also responsible for recruiting children in Darfur. For example, reports indicate that the Central Reserve Police recruited 49 children and the Sudan Armed Forces recruited 45 children during the reporting period. On 2 April 2008, a 14-year-old boy carrying a weapon and wearing an SAF uniform with rank markings identifying him as a captain was seen by a representative of the United Nations in Abu Surug.

18. The regional dimensions of the conflict have also exacerbated the recruitment and use of children in Darfur. For instance, there have been 98 reported cases of children associated with Chadian opposition groups present in Darfur. On 25 August

2008, a boy wearing a uniform and carrying a weapon told United Nations staff that he was 11 years old and associated with a Chadian opposition group.

19. Security constraints and lack of access not withstanding, the graph below gives an indication on the scope of recruitment and use of children in Darfur.

Figure I
**Reported recruitment and use of children by armed forces and groups in Darfur during the reporting period**




## B. Killing and maiming

### Southern Sudan

20. In Southern Sudan, there have not been any major armed incidents during the reporting period and incidents of killing and maiming of children have decreased since 2006. However, a 10-year-old girl was injured during armed clashes between SPLA and the Southern Sudan Police Service in February 2008 in Jonglei State, and a two-year-old boy was injured during fighting between SPLA and Joint Integrated Unit-SAF soldiers in May 2008 in Upper Nile State.

21. Some children were also killed or injured as a result of conflict among ethnic groups. For example, two children were killed in such clashes in Warrab State in May 2008. There are also several unconfirmed reports during the reporting period of children killed in attacks by the Murle against other ethnic groups in Jonglei State.

22. There were also grave violations perpetrated by the LRA in Southern Sudan during the reporting period. On 19 February 2008, a 4-year-old girl was seriously

injured when a large group of LRA fighters attacked the settlement of Source Yubo (Western Equatoria) State where SPLA soldiers were living with their families. In total, 3 civilians were killed, 27 were abducted and 9 were injured.

23. Incidents related to mines and unexploded ordnance also resulted in death and injury to children. In total, 7 children were killed and 21 injured in such accidents throughout Southern Sudan.

**Darfur**

24. Reports indicate that ethnic groups such as the Abbala and Zaghawa, as well as rebel armed groups, including JEM, SLA/Unity and SLA/Minawi, are responsible for the killing and maiming of children in Darfur. Reports also point towards other perpetrators such as Government-backed militias and Chadian opposition groups.

25. During the reporting period, United Nations field monitors reported the killing of 42 children and injuries to 20 others throughout Darfur. In addition, through the Information Management System for Mine Action, the deaths of 9 children and injuries to 19 others were reported as a result of mine and unexploded ordnance incidents.

26. Most children were killed or injured during attacks by armed groups on villages, markets and internally displaced persons' camps, or in clashes between armed groups. In total, it was reported that 27 children were killed and 10 injured in 19 different incidents. For example, on 17 September 2007, a 13-year-old boy was seriously injured by a bullet that hit his back during an attack by SLA/Minawi on a Ma'alia nomadic group in Ed-Daein.

27. Many of the reports of killing and maiming of children in Darfur have been attributed to SAF, the Central Reserve Police and other police and security forces. A number of children were killed or injured in continued aerial bombardments by Sudan Government forces throughout the reporting period. For example, from March to May 2008, there were reports of 12 children killed and 7 injured during such bombardment, primarily in Northern Darfur State. On 29 April 2008, Government planes bombed the village of Hilif (Northern Darfur), killing a two-month-old baby and injuring a two-year-old child. The village of Um Sidir (Northern Darfur) was also bombed on 1 May 2008 and 16 civilians, including a 16-year-old, were severely injured.

**Northern Sudan (not including Darfur)**

28. During the reporting period, the deaths of 11 children and injuries to 18 children in other areas in Northern Sudan (not including Darfur) have been recorded in the Information Management System for Mine Action database of victims of mines and unexploded ordnance.

## C. Rape or other grave sexual violence

29. Sexual violence continues to be widespread throughout the Sudan, particularly in Darfur, although, the majority of cases go unreported because of the stigma attached to the survivors and the cultural taboo surrounding sexual violence. Investigation and prosecution of the crime of rape is relatively rare. Examples and trends illustrating the scope of sexual violence against children in the Sudan are

given below, but it is clear that the extent of the problem goes beyond the cases that are verified and reported to the United Nations.

**Southern Sudan**

30. In Southern Sudan, two incidents of sexual violence against two girls by armed elements were reported. The more recent case, recorded in June 2008, occurred in Upper Nile State, where a 13-year-old girl was raped by an SPLA corporal. The alleged perpetrator was later arrested and detained.

**Darfur**

31. Most reported incidents of rape and sexual violence against children occurred in Darfur. The United Nations was able to verify 53 cases of girls raped by armed elements in 34 separate incidents. The youngest victim was a six-year-old girl who was raped along with two other girls from the Fur community by five Arab militia men in April 2008. In addition to the verified cases, there were 26 reports of sexual violence against girls that the United Nations was not able to verify. The majority of the incidents of rape or sexual violence occurred in Western Darfur, affecting 31 children, followed by Southern Darfur, with reports involving 17 children.

32. One third of the total 34 reported incidents were perpetrated against internally displaced children or occurred within the vicinity of an internally displaced persons' camp. Girls who leave such camps to collect firewood are particularly at risk. For example, on 25 January 2008, a 15-year-old girl was raped while collecting firewood with a group of women on the outskirts of their camp in Western Darfur.

33. In 11 incidents, the perpetrators were identified as Government forces (Border Intelligence Force, Central Reserve Police, SAF and Police Forces). For example, on 16 May 2008, a 13-year-old girl was repeatedly raped by three armed men wearing SAF military uniforms. A further 12 incidents were ascribed to Government-backed militias.

34. On 8 February, Government forces and Government-backed militias attacked Sirba, Seleia and Abou Suruj villages in the northern corridor in Western Darfur in retaliation for an earlier attack by JEM against police posts. Reports indicate widespread acts of sexual violence committed by SAF. At least 10 girls aged between 9 to 18 years were raped and/or sexually assaulted during the attack.

## D. Abduction of children

**Southern Sudan**

35. Almost all abductions of children reported in Southern Sudan occurred in 2007. Some children were abducted during cattle raids on villages by armed tribesmen. For example, on 12 November 2007, a 10-year-old boy was abducted near Rejaf, in Central Equatoria State, by Murle tribesmen. In another instance in Northern Bahr el Ghazal State, in December 2007, 10 children were abducted by Popular Defence Force militias during an attack on their village. The whereabouts of the children remain unknown.

36. In 2008, there were continuing concerns about incidents of abduction in Southern Sudan, but the lack of access to the remote areas where such abductions take place has made it difficult to identify trends at this stage.

**Darfur**

37. The abduction of children continues to be a concern in Darfur, where six incidents affecting seven children, mostly girls, have been reported. Half of the reported abductions took place in Western Darfur. The abduction of girls is often linked to rape and sexual violence. All six incidents were perpetrated by members of SAF, the Central Reserve Police or Government-backed militias. For example, on 26 October 2007, in two separate incidents, a Central Reserve Policeman and a former SAF soldier abducted two girls. One of the girls, a 17-year-old, was raped. Government police forces pursued the alleged perpetrators in both cases and one of the two girls was successfully rescued.

## E. Denial of humanitarian access

**Southern Sudan**

38. In Southern Sudan, humanitarian actors have had largely unrestricted access throughout the reporting period. Unlike the previous reporting period where there were cases of World Food Programme (WFP) trucks being looted or held back by SPLA, there have been no such incidents during the present reporting period. With the exception of a few isolated incidents in 2007, humanitarian access has been unhindered in the past three years in this area.

**Three Areas**

39. In Abyei and Southern Kordofan State, humanitarian access has been hampered due to the prevailing insecurity. UNMIS and United Nations agencies have not had access to Meiram (Southern Kordofan/Abyei area) since fighting broke out in December 2007 between SPLA and the Misseriya ethnic group. UNMIS movements outside Abyei have also been restricted by National Intelligence and Security Services in the northern, eastern and western parts of the UNMIS sector, as the Government of Sudan claims that these areas are outside the ceasefire zone set out in the Comprehensive Peace Agreement and therefore beyond the mandate of UNMIS. As a result, since June 2008, UNMIS has had no access to areas outside of those covered by the Abyei road map.

40. More recently, United Nations agencies have had better access to the north from Kadugli (Southern Kordofan), but access is still hampered by insecurity. It has been challenging, therefore, to monitor and verify grave violations against children in the affected areas, including the impact of the Meiram clash on children and the suspected recruitment and use of children in that part of Southern Kordofan.

**Darfur**

41. There has been a substantial increase in attacks against humanitarian workers in the reporting period in Darfur, with a total of 19 humanitarian workers killed and 38 injured.

42. The number of hijackings affecting humanitarian agencies has also doubled compared to the previous reporting period. Some 293 vehicles belonging to the United Nations and non-governmental organizations were hijacked in Darfur, including 52 UNAMID vehicles and 110 WFP-contracted trucks, during which 227 humanitarian workers and WFP-contracted drivers were abducted. To date, all but three drivers have been released. During one hijacking incident, the State Water Corporation in Northern Darfur lost valuable drilling equipment and vehicles.

43. During the attacks in the northern corridor of Western Darfur in early 2008, humanitarian compounds and centres were repeatedly looted and destroyed during attacks by the armed groups, SAF and militias. These attacks seriously jeopardize the delivery of humanitarian assistance, including food, to affected populations.

44. During the reporting period, 207 attacks on humanitarian workers and goods by armed elements were reported, including:

(a) On 20 September 2007, a convoy of international non-governmental organizations was ambushed by two unidentified armed Arab men in the Bulbul Timbisco area, west of Nyala in Southern Darfur. Three staff of the organizations were injured by gunshot wounds and, as a result, their activities in the area were suspended for two months;

(b) Médecins Sans Frontières evacuated staff from Tawila and Shangil Tobaya in Northern Darfur following a series of violent assaults against their staff by unidentified armed men in August 2008. The suspension of the organization's activities left more than 65,000 civilians without medical assistance. Similarly, in August 2008, the non-governmental organization German Agro Action suspended its activities in Northern Darfur, which affected the provision of food assistance to 450,000 beneficiaries. Both international non-governmental organizations resumed activities after two months.

45. A positive development has been the one-year extension of the moratorium on restrictions signed by the United Nations and the Government of the Sudan in July 2004 to facilitate humanitarian activities in Darfur. Over time, the moratorium has enhanced humanitarian access to affected populations.

46. However, despite the moratorium, the humanitarian community continues to face some Government restrictions, including delays or the denial of work permits for the staff of international non-governmental organizations, as well as restricted access for some humanitarian missions in the field. For instance, in early 2008, the Government denied access for 40 days to humanitarian agencies assisting some 160,000 conflict-affected people, including an estimated 80,000 children in the northern part of Western Darfur. As a result, protection activities, including sexual and gender-based violence, human rights and child protection projects, were suspended. Protection projects have faced serious challenges leading to either closure or suspension of essential programmes. Protection organizations have been monitored by the National Security and Humanitarian Aid Commission, resulting in searching of premises and material, and threats and intimidation of staff.

## F. Attacks on schools and hospitals

### Southern Sudan

47. No major armed clashes took place in Southern Sudan during the reporting period, and there were no reported incidents of schools or hospitals being targeted.

### Three Areas

48. Following the fighting in Abyei in May 2008, five schools in Abyei town were looted and partially destroyed. One school remained inaccessible until October 2008 owing to the presence of unexploded ordnance. A clinic run by an international non-governmental organization was looted and stored medicines were stolen.

### Darfur

49. Attacks on schools and hospitals in Darfur during the reporting period, are attributed to ground attacks or clashes between various armed forces and groups. For example, five schools and the town clinic were burned during an attack on Haskanita town in September 2007. According to United Nations reports, the entire town was intentionally burned.

50. The majority of incidents occurred in Western Darfur State and involved the looting of schools and hospitals:

(a) During the February 2008 attacks on Silea and Abu Surug villages, the main school in Silea was reportedly looted by both SAF and Government-backed militias;

(b) In September 2007, a boys' secondary school in Mornei, Western Darfur, was reportedly occupied by the Central Reserve Police following clashes between the Government and SLA/Abu Gasim.

# III. Advocacy and dialogue for action plans

51. During the reporting period, cooperation with the Government on children and armed conflict has improved and as a result both advocacy and dialogue efforts have been facilitated. In early 2008, a joint United Nations-Government forum on children and armed conflict was established in order to collaborate on the implementation of Security Council resolution 1612 (2005), including review of progress in implementation of the recommendations of the reports of the Secretary-General. This development has enhanced information-sharing, cooperation and a coordinated response to issues related to children affected by the armed conflict in the Sudan.

52. The development of action plans with armed forces and groups operating in Darfur was the primary focus for UNAMID and the United Nations Children's Fund (UNICEF) during a workshop organized by the Centre for Humanitarian Dialogue in Geneva in July 2008. Two of the non-signatories to the Darfur Peace Agreement, JEM and SLA/Unity, committed to adopting measures to protect children in Darfur and reaffirmed their commitment to refrain from using children for military operations. Dialogue has been initiated by UNICEF with JEM to translate these commitments into an action plan, in line with Security Council resolutions 1539

(2004) and 1612 (2005). It is anticipated that similar dialogue will also be initiated with SLA/Unity.

53. Following the signing of the action plan with SLA/Minawi, 16 children associated with the armed group were registered for demobilization in Darfur during the reporting period. Identification and registration are ongoing.

54. Following the arrest of some 110 children, aged from 11 to 17 years, in the aftermath of the JEM attack on Omdurman on 10 May 2008, concerted advocacy was undertaken by the National Council for Child Welfare on behalf of the children. A Presidential high-level committee was established to deal with the protection of these children. As a result, children have been separated from adult prisoners and provided with medical care, psychosocial support and other services, the International Committee of the Red Cross was also requested to carry out family tracing and reunification, and UNICEF has provided support for both interim care and long-term reintegration planning and initiatives. It should be noted, however, that despite strong United Nations advocacy, more than 30 of these children were used as witnesses in the trials against JEM combatants, putting them in considerable danger. Towards the end of the reporting period, almost all detained children had been pardoned by Presidential decree and released and reunified with families and communities, including a number of children reunified with their families in Chad. The whereabouts of five children remains unknown, however, and one 16-year-old boy has been sentenced to death under sharia law applied in Northern Sudan. Efforts by the United Nations and partners are ongoing to ensure that this sentence is commuted.

55. In Southern Sudan, the United Nations continues advocacy with SAF and SPLA on issues related to violations of children's rights, including recruitment, through the ceasefire bodies, in particular the Ceasefire Joint Military Committee and its seven subsidiary Area Joint Military Committees.

## IV. Disarmament, demobilization and reintegration programmes

56. During the reporting period, almost 600 children formerly associated with armed forces and groups under the Comprehensive Peace Agreement, as well as 12,000 other vulnerable children, were supported through reintegration programmes across the Sudan. However, although the Agreement, signed in January 2005, called for the immediate and unconditional release of all children from various fighting forces and groups within six months, children continue to be recruited and used by all parties to the conflict.

57. The Northern and the Southern Sudan Disarmament, Demobilization and Reintegration Commissions have jointly developed a national reintegration strategy for children associated with armed forces and groups, which will provide a common approach for child reintegration throughout the country. In April 2008, along with United Nations partners, the Commissions also agreed that all children associated with armed forces and groups should be released before the end of 2008. Although this process has not been completed to date, the Southern Sudan Commission has reintegrated 150 children and registered an additional 50, and the Northern Sudan Commission has recently started the reintegration of some 300 children.

58. In Southern Sudan, thanks to concerted efforts of the Disarmament, Demobilization and Reintegration Commission, SPLA and UNICEF to speed up the identification and release of children, 68 children were registered in Korpiot (Upper Nile) and 86 in Unity State during the reporting period. Demobilization activities took place in December 2008: a total of 46 children were released; 37 have been reunified with families; and the remaining 9 await transportation and family reunification.

59. In the Three Areas, after a year of discussions, the Northern Sudan and Southern Sudan Disarmament, Demobilization and Reintegration Commissions reached an agreement on the reintegration processes, resulting, in May 2008, in the release and family reunification of 88 children (out of the 227 who had been identified in July 2007) from SPLA in Kurmok (southern Blue Nile State). Owing to delays, the remaining children either turned 18 or left the registration site, losing their reintegration opportunities.

60. A disarmament, demobilization and reintegration process for children in Darfur was launched in June 2008 as a result of a workshop that brought together representatives of the six groups that are signatories to the Darfur Peace Agreement, including SLA/Minawi, SLA/Peace Wing, SLA/Abu Gasim (JEM/Peace Wing of Abdul Rahman Abu Risha), SLA/Free Will and the Movement of Popular Forces for Rights and Democracy (MPFRD). All armed groups committed themselves to releasing children as a priority. Reintegration programmes are commencing for children involved in the JEM Omdurman attack, as well as the children identified by SLA/Minawi in their agreement with UNICEF.

## V. Response to grave violations

61. There has been significant progress during the reporting period, with the adoption of several pieces of national legislation that further strengthen the overall framework for child protection.

62. The Sudan Armed Forces Act, adopted on 5 December 2007, promotes the protection of women and children in armed conflict. The Act establishes 18 as the minimum age for recruitment and stipulates criminal penalties for individuals who recruit children or provide false information on enlistment or recruitment of a person below that age. It also outlines penalties for a range of violations of humanitarian and human rights law, including torture, killing, rape, sexual slavery or forced pregnancy, abduction and enslavement and the attacking of schools and hospitals.

63. Another major legal reform is the Child Act of 2008, which was drafted, inter alia, to meet international standards such as the Convention on the Rights of the Child and its two Optional Protocols. It is currently being reviewed by the Cabinet of Ministers. The Southern Sudan Child Act of 2008 was signed by the President of the Government of Southern Sudan on 13 October 2008. It contains provisions that relate to the age of criminal responsibility, which has been raised from 10 years to 12 years; it also addresses the issue of alternatives to child imprisonment, and stronger punishment for child abduction.

64. As part of the response to the grave violations highlighted above, the Sudanese authorities and the United Nations have been working closely to ensure training and

capacity-building throughout the territory. Advocacy efforts led by the National Council for Child Welfare resulted, in September 2007, in the establishment of Family and Child Police Units, modelled on the Family and Child Protection Unit in Khartoum, in all States of northern Sudan. On 16 June 2008, the National Council for Child Welfare, in collaboration with UNICEF and other partners, also launched a comprehensive child protection awareness campaign to address a wide range of concerns, including the protection of children from all forms of violence, exploitation, abuse and neglect. Between March and April 2008, the Committee for the Eradication of the Abduction of Women and Children, with the support of United Nations partners, successfully organized the return of over 330 Dinka women and children abducted in the 1980s from Southern Sudan to Southern Darfur.

65. The United Nations also supported various training and capacity-building activities led by the Sudanese authorities. This included training sessions on child protection and justice for children for government officials, SAF, SPLA and the Joint Integrated Units. They also targeted more than 164 police, judges, social workers and traditional leaders in six States in 2008.

## VI. Recommendations

66. The following recommendations are based on a review of the two existing pertinent sets of conclusions and recommendations of the Security Council Working Group on Children and Armed Conflict and my previous reports on the situation of children in the Sudan. The general themes covered reiterate priorities in the current context after three years of the monitoring and reporting process in the Sudan under Security Council resolution 1612 (2005). The recommendations highlight critical practical measures in moving the process forward, articulate common agreement on priorities of key stakeholders and aim to foster more effective coordination among them.

67. I call upon all relevant parties, as a matter of priority, to implement the recommendations contained in my two previous reports on children and armed conflict in the Sudan (S/2006/662 and S/2007/520) as well as the related conclusions and recommendation of the Security Council Working Group on Children and Armed Conflict (S/2006/971 and S/AC.51/2008/7).

68. I reiterate my call upon the Government of National Unity and the Government of Southern Sudan to live up to the commitments they have made to end the recruitment and use of children in their forces in accordance with their obligations under international law as well as relevant national legislation. The Government of National Unity bears direct responsibility for the recruitment and use of children by both SAF and all aligned forces, and the Government of Southern Sudan bears direct responsibility for the recruitment and use of children in SPLA. Both must act to halt recruitment and actively seek to identify and release all children associated with their forces without delay, within the framework of Security Council resolutions 1612 (2005) and 1539 (2004) and the preparation of the action plans referred to therein.

69. I call upon all armed groups in the Sudan, immediately and without precondition, to cease the recruitment and use of children and to identify and release to the United Nations those children already in their ranks. All parties are required to enter into dialogue with UNAMID, UNMIS and UNICEF and to prepare time-

bound action plans to address the recruitment and use of child soldiers within the framework of Security Council resolution 1612 (2005) and on the basis of the criteria established for action plans.

70. In addition, all parties to the conflict should make specific commitments to the United Nations with a view to putting an end to all grave violations against children for which they are cited in my reports. Whenever possible, UNAMID, UNMIS and UNICEF should enter into dialogue with all parties to the conflict in order to facilitate the preparation and implementation of action plans, as stipulated in Security Council resolutions 1612 (2005) and 1539 (2004), and follow up and report on this aspect as well as on specific commitments to address other grave violations.

71. I am deeply concerned about the killing and maiming of children and other civilians in the course of military operations, including aerial bombardments, and I urge the Government of National Unity to make all efforts to protect children through strict adherence to the principles of distinction and proportionality in the conduct of hostilities.

72. I reiterate my deep concern that systematic sexual violence against girls and women continues with impunity, especially in the conflict-affected areas of Darfur. I strongly urge the Government of National Unity to adopt a comprehensive strategy to address sexual violence, which may include strengthening the capacity and coverage of the Family and Child Police Units; rigorous investigation and prosecution of such violations; greater support for prevention initiatives and response programming for victims; and the continuation of training and capacity-building of police and judicial officials and social workers on issues related to sexual violence. I call upon the donor community to support the authorities in this regard, and urge United Nations agencies and child protection partners to increase their prevention and response activities and effectively coordinate their efforts.

73. I condemn the widespread targeting of humanitarian workers and facilities, which has resulted in the killing of humanitarian workers in Darfur. I call upon all parties to abide by their international legal obligations to ensure the protection of humanitarian personnel and assets and urge the Government of National Unity to end impunity for such attacks by rigorously investigating and prosecuting the perpetrators of all such incidents.

74. I also call upon the Government of National Unity to facilitate unhindered and safe access by humanitarian organizations working on child protection issues to affected populations in Darfur and request that the Government of National Unity and the Government of Southern Sudan ensure freedom of movement of UNMIS personnel in the Abyei area to enable the implementation of its mandate to monitor and report on the use of children by popular defence forces and other armed groups within the framework of Security Council resolution 1612 (2005).

75. In the spirit of national reconciliation and the Comprehensive Peace Agreement, I urge the Government of National Unity and the Government of Southern Sudan to cooperate and to reach a high-level agreement in order to bring closure to the issue of children and women abducted during the conflict between the Government of Southern Sudan and SPLA in the 1980s and the early 1990s, as well as more recent cases of abduction of children.

76. I welcome the specific attention that the Disarmament, Demobilization and Reintegration Commissions of Northern Sudan and Southern Sudan have paid to the

disarmament, demobilization and reintegration of children. However, I urge them to accelerate the release of children associated with armed forces and groups and to establish, as a matter of priority, the requisite services for their reintegration. As a practical measure, I urge the Commissions to integrate the issue of children throughout their operational frameworks and guidelines and request United Nations entities to provide technical support, as appropriate, in this regard.

77. I urge the international donor community to support the Northern and Southern Sudan Disarmament, Demobilization and Reintegration Commissions, the National Council for Child Welfare, UNICEF and its child protection partners with the adequate and timely resources required for the effective long-term reintegration of children, and to support programmes for the prevention of and response to the recruitment and use of children and other grave violations.

78. I note the significant efforts undertaken by the Government of National Unity for the protection and release of the children associated with JEM who were detained in the aftermath of the attack on Omdurman in May 2008. I urge the authorities to consider children who have been associated with armed groups first and foremost as victims, placing emphasis on their psychosocial needs and their rehabilitation and reintegration into communities. Furthermore, I call upon the authorities, in line with the Convention on the Rights of the Child and accepted international practice, to abolish the death penalty against children regardless of the nature of their offences.

79. I welcome and commend the considerable efforts of the Government of National Unity and the Government of Southern Sudan to strengthen the national legislative framework for the protection of children, including through adoption of the Sudan Armed Forces Act and the Southern Sudan Child Act. I urge the respective administrations to prepare directives and programmes of action to implement these critical pieces of legislation, for which the United Nations may provide technical support, as appropriate. I also urge the Government of National Unity to adopt the Child Act 2008, which is currently under review by the Cabinet of Ministers, as a matter of priority.

80. I welcome also the practical measures by the Government of National Unity to establish Family and Child Police Units in all States in northern Sudan, modelled on the Family and Child Protection Unit in Khartoum. I urge the authorities to ensure that these units have the mandate and capacity to enforce national child protection legislation. I encourage the Government of National Unity to further strengthen this initiative by ensuring the prioritization of adequate resources for such units, the extension of the initiative to other parts of the country, as appropriate, and the provision of continued and systematic child protection training and capacity-building for both police and judicial officials.

81. I welcome the establishment of a joint coordination mechanism between the Government of National Unity and the United Nations on matters related to children and armed conflict and encourage the Government of National Unity and the Government of Southern Sudan to fully cooperate with the monitoring and reporting task forces established in the framework of Security Council resolution 1612 (2005).

82. In their capacity as co-Chairs of the monitoring and reporting task forces established under Security Council resolution 1612 (2005), UNAMID, UNMIS and UNICEF will need to ensure the strengthening and sustainability of this modality,

liaise with relevant non-governmental organizations and civil society networks and national institutions, as appropriate, and ensure effective coordination between the arrangements in Darfur and Southern Sudan and the Three Areas.

83. Given the regional dimension of the conflict, I reiterate the recommendation in my report on the situation of children and armed conflict in Chad (S/2008/532) that the respective United Nations country teams in the Sudan, Chad and the Central African Republic, as well as UNAMID, UNMIS, the United Nations Mission in the Central African Republic and Chad (MINURCAT) and the United Nations Peacebuilding Support Office in the Central African Republic (BONUCA) peacekeeping and political missions, dedicate the required resources to ensure that mechanisms are in place for information exchange and cooperation on cross-border child protection concerns such as the recruitment, release and reintegration of children.

84. In this regard, I remain deeply concerned about grave violations against children perpetrated by LRA across the borders of the Sudan, the Central African Republic, the Democratic Republic of the Congo and Uganda, and urgently request the entities noted in my recommendation paragraph 83 above to support the development of regional strategies to enhance monitoring, reporting and response to the grave violations committed by LRA.

85. I request my Special Representative for Children and Armed Conflict to undertake a follow-up visit to the Sudan to assess the situation for children first-hand, to facilitate dialogue with the parties to the conflict and to assess progress in the implementation of the pertinent recommendations of the Security Council Working Group on Children and Armed Conflict and the recommendations of my reports on the situation of children in the Sudan.